

Law Offices of
Bennet & Bennet, PLLC
1019 Nineteenth Street, N.W., Suite 500
Washington, DC 20036

ORIGINAL

Caressa D. Bennet
Michael R. Bennet
Marjorie G. Spivak
Gregory W. Whiteaker
Edward D. Kania
*Donald L. Herman, Jr. **

Tel: (202) 530-9800
Fax: (202) 530-9805

e-mail: mail@bennetlaw.com
http://www.bennetlaw.com

Of Counsel
*Philip E. Bennet***

Telecommunications Analyst
Ken C. Johnson

**Admitted in Alabama Only*

***Admitted in New York Only*

December 4, 1998

Magalie Roman Salas
Federal Communications Commission
The Portals
445 Twelfth Street, S.W.
Washington, DC 20554

RECEIVED

DEC - 4 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Attention: Amy Zoslov

**Re: RT Communications, Inc. Petition for Waiver Pursuant to Section
20.18(c) of the Commission's Rules; CC Docket No. 94-102**

Dear Ms. Salas:

Transmitted herewith, on behalf of RT Communications, Inc. ("RT") and pursuant to §1.3 of the Federal Communications Commission's ("Commission") rules, are an original and four copies of RT's Petition for Waiver of the December 31, 1998 deadline ending the suspension of enforcement of Section 20.18(c) of the Commission's rules, as that section relates to the transmission of 911 calls made from TTY devices using digital wireless systems. The petition contains a facsimile signature. The original signature will be filed with the Commission as soon as it is available.

Should you have any questions concerning this matter, please communicate directly with the undersigned.

Sincerely,



Michael R. Bennet

MRB/jmb
Enclosures

No. of Copies rec'd 0+4
List ABCDE

RECEIVED

DEC - 4 1998

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Revision of the Commission's Rules) CC Docket No. 94-102
To Ensure Compatibility with)
Enhanced 911 Emergency)
Calling Systems)

To: Wireless Telecommunications Bureau

**RT Communications, Inc., Request for Waiver
of Section 20.18(c) of the Commission's Rules**

I. Introduction

RT Communications, Inc. ("RT Communications"), pursuant to § 1.3 of the Rules and regulations of the Federal Communications Commission ("FCC" or "Commission"),¹ hereby requests a limited waiver of the December 31, 1998 deadline ending the suspension of enforcement of Section 20.18(c) of the Commission's Rules, as that section relates to the transmission of 911 calls made from TTY devices using digital wireless systems as set forth in the Commission's November 13, 1998 *Order*.²

RT Communications is a small, rural wireless carrier, headquartered in Worland, Wyoming, that will begin operations on February 1, 1999 in Wyoming BTA-69, Wyoming BTA-77, and Wyoming BTA-375. RT Communications is filing this petition in order to not be in violation of the FCC's Rules when it turns up service because it does not anticipate being able to

¹47 C.F.R. § 1.3 (1996).

²In the Matter of Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102, Order, RM-8143 (rel. November 13, 1998) ("*Order*").

comply on that date with the requirement of Section 20.18(c) mandating that TTY users be able to access 911 over digital wireless phones.

II. Background

On November 13, 1998, the Wireless Telecommunications Bureau released an *Order* extending through December 31, 1998, the suspension of enforcement of Section 20.18(c) of the Commission's Rules regarding the transmission of 911 calls made from TTY devices using digital wireless systems. While the Commission recognized the difficulties the industry (represented by the Wireless TTY Forum) was experiencing in achieving TTY compatibility with digital systems, the Commission was also concerned about "the significant benefits the requirements established in Section 20.18(c) will provide to individuals who are deaf, hard-of-hearing, or who have speech disabilities" and pushed for an interim solution that included this waiver process in order to continue "the process of achieving carrier compliance."³ In the *Order*, the Commission established specific procedures under which wireless carriers subject to the requirements of Section 20.18(c) may petition the Commission for a waiver of those requirements. In accordance with these procedures, what follows are the steps RT Communications is taking to provide users of TTY devices with the capability to operate such devices in conjunction with digital wireless phones.

III. Compliance Efforts

RT Communications is currently working with its wireless switch manufacturer, Nortel, on a viable solution to digital 911 for TTY users. Unfortunately, for the time being, it is technically impossible for RT Communications to comply with the Commission's rules

³*Order* at p. 3.

governing TTY access to 911 over its digital wireless system until Nortel makes the appropriate equipment commercially available. While Nortel's equipment is capable of transmitting analog 911 calls, Nortel has yet to develop the equipment necessary to connect with digital wireless handsets and the 911 text message may be corrupted by the consumers' equipment.

Nortel's IS-95 CDMA air interface equipment, in the short term, is incapable of transmitting a 911 call with sufficient error-free text to elicit a proper emergency response. Nortel's IS-136 TDMA air interface equipment is also incapable, in the short term, of transmitting error-free text messages depending upon the type of vocoder used in the system, the type of text message, and the type of handset. In addition, Nortel maintains that industry standards to support TTY operation in digital mode are not currently defined. Nortel has informed RT Communications that Nortel Networks is working with other equipment manufacturers to define the standards needed to make the digital service work. A timely compliance solution depends not only upon Nortel's equipment, but also the makers of TTY equipment. Unfortunately, the only impact RT Communications has on this process is creating a demand for functional 911/TTY equipment.

RT Communications has made quite clear to Nortel the importance of timely compliance with the FCC's rules. However, Nortel has informed RT Communications that it may take as long as twelve to eighteen months to develop a finished product that can accommodate digital TTY use.⁴ RT Communications will continue to work with Nortel to develop a system that can work for RT Communications's customers. RT Communications will keep the Commission informed about its progress. If the equipment manufacturers could be more definite about their

⁴See *Order* at ¶ 5, footnote 4.

solutions, RT Communications could provide the Commission with a more definite date when it will be capable of transmitting digital TTY signals.

RT Communications will certainly inform any TTY customers of their options concerning public safety network access over RT Communications's network. RT Communications is committed to the safety of its customers who are deaf, hard-of-hearing, or who have speech disabilities and will work with these customers to provide them with any technically feasible telecommunications features or information such as ANI or volume control that will allow these users to access the network. Nevertheless, RT Communications is in the position of transporting and terminating the signal, not in the position of manufacturing the equipment that carries the signal or the end user equipment. RT Communications appreciates the FCC's commitment to solving this industry-wide incompatibility as soon as possible and believes the deadline and subsequent waiver procedure will speed industry compliance. RT Communications is aware of its obligation to file a submission every three months if it is unable to implement digital TTY capability and, if granted this waiver, will keep the FCC informed of the progress it has made with its equipment manufacturers toward making digital 911/TTY a reality.

For the foregoing reasons, RT Communications submits that the limited waiver requested is in the public interest.

Respectfully submitted,

RT Communications, Inc.

By Dee H. Monson
Dee Monson
Vice President and General Manager

December 4, 1998

U:\Docs2\Clients\RT Communications\RTWaiver8.D04kj.wpd